

August 23, 1996

Ms. Felicia Marcus
USEPA, Region Nine
75 Hawthorne Street
San Francisco, CA 94106-3901

Dear Ms. Marcus:

Thank you for your scoping comment letter of June 5, 1996. Your cover letter highlighted four issues. Uppermost was your suggestion to clearly articulate environmental goals regarding sustainable fish and wildlife populations. During the summer months, the Program has drafted the Ecosystem Restoration Strategy, which I have enclosed, to articulate the Program's broad vision for ecosystem restoration as well as tentative restoration objectives, assumptions and indicators. We will continue to develop restoration goals, objectives and targets throughout Phase II, and the Program welcomes EPA input on this matter. A similar comment emphasized the need to distinguish between ecosystem restoration activities and mitigation activities. We are aware of the difference and have established a general goal of a net gain (in both quantity and quality) in habitat.

Your second comment suggested clarifications to the "common program" approach the Program has adopted for water use efficiency, ecosystem restoration, water quality, and system vulnerability. Your letter expressed concern that variations in the common programs--necessitated by particular storage and conveyance options--will affect the comparative evaluation of the alternatives. We realize that variable storage and conveyance options will affect the implementation of the common programs. Phase II will include further refinement of the alternatives, and we will adjust the common programs as necessary so that they comport with the emerging storage and conveyance options. Once storage and conveyance options have solidified, we will be able to optimize the common programs for each particular storage/conveyance configuration and thereby carry forward the optimal alternatives into the programmatic environmental review.

Another comment related to the common programs seemed to question water use efficiency as a common program, noting that specific water use efficiency measures will vary according to storage and conveyance options. Since water use efficiency enjoys broad support among stakeholders, and since all of the common programs will need to be refined in light of

CALFED Agencies

California

The Resources Agency
Department of Fish and Game
Department of Water Resources
California Environmental Protection Agency
State Water Resources Control Board

Federal

Environmental Protection Agency
Department of the Interior
Fish and Wildlife Service
Bureau of Reclamation
Department of Commerce
National Marine Fisheries Service

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emerging storage and conveyance options, we feel that water use efficiency will function properly as a common, rather than a variable, program.

The Phase II analysis will include a cost-benefit analysis of the components to help the Program choose cost-effective solutions to Bay-Delta problems. This cost-benefit analysis will also aim to identify the beneficiaries of various actions to help allocate costs in proportion to the benefit received.

A third general comment asked for clarifications of the Program's water supply objectives: time frame; measures of supply reliability; definition of the water supply system. As you are aware, the Bay-Delta Program does not have a mandate to project future supply conditions. For the Existing Conditions and No-Action alternative, we will use the current system configuration and examine a range of recent years to establish water supply assumptions. While the Program has not defined measures to evaluate water supply reliability, we generally think that ecosystem restoration activities will help increase populations of endangered species (as well as other species) and may then allow greater flexibility in water movement as species recover.

Your letter highlighted a final comment regarding the link between water quality standards and the configuration and operation of water supply facilities. We realize that alternatives proposing different configuration and/or operation of water facilities may require the development of new water quality standards to assure adequate protection of the Bay-Delta under any new operational configuration. Similarly, you warned against assuming current instream flow requirements were sufficient to protect fish. While we realize that instream flow requirements may change, modeling for the Existing Conditions and No-Action alternative will use current instream flow requirements.

Though not highlighted in the cover letter, other comments were included in the scoping letter. I'll address each in turn. Your letter warned against early implementation of common program elements that had not received sufficient review or that might foreclose long-term solutions. The Program does not plan to undertake any site-specific analysis of actions during Phase II. Some of the actions that comprise the Program's ecosystem restoration common program are Category III activities or are included as part of other programs (e.g. CVPIA); consequently, these elements may be implemented prior to the CALFED Bay-Delta Program's Record of Decision, but they will receive sufficient consideration.

During the Phase II analysis, we will address your concerns about in-Delta storage. Our analysis will include a range of sizes and locations, and this analysis should tell us if, as you suggest, the benefits of in-Delta storage may be better achieved through upstream or south-of-Delta storage.

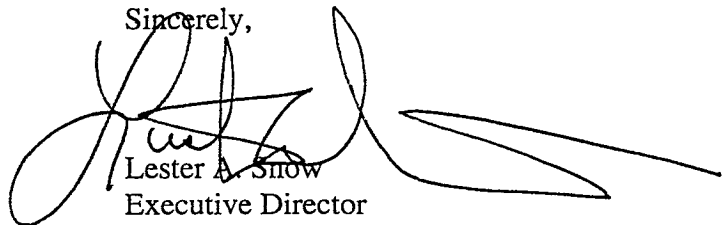
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Finally, you recommended that the Program clarify the objectives of land retirement, noting that land retirement measures had been framed as both a demand management measure and a water quality measure. Upon reflection, we have decided that land retirement is more appropriate as a water quality matter. This decision does not preclude voluntary water supply based land retirement programs initiated and operated by others. For purposes of the Bay-Delta Program, however, land retirement will be used primarily as a means of achieving water quality goals. Accordingly, we have reduced the scale of acreage to be considered for retirement and are focusing on land in the western portion of the San Joaquin Valley.

We appreciate the memos from Bruce Herbold you forwarded along with your letter. The issues and suggestions contained in his memos will be considered as part of the discussions underway on ecosystem restoration and alternative refinement.

Thank you for your scoping comments. If you have any additional comments or questions, please do not hesitate to call me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lester A. Snow', is written over the typed name and title. The signature is stylized with large loops and a long horizontal stroke extending to the right.

Lester A. Snow
Executive Director

Enclosure